



Chairman Brenden and Members of the Committee-

My name is Jerry Davis and as a board member of the Montana Bowhunters Association I represent them for this testimony. I appreciate the opportunity to give MBA's stance concerning this bill.

MBA opposes SB 155. After reviewing ~~the law~~, Title 75, Environmental Protection Chapter 1, Environmental Policy And Protection Generally, Part 2. Environmental Impact Statements, I found that FWP is already required to perform some form of environmental review if an action they take "may have an impact on the Montana human environment". See text below from the Title 75, Chapter 1, Part 2.

**75-1-201. (Temporary) General directions -- environmental impact statements. (1) The legislature authorizes and directs that, to the fullest extent possible:**

**(a) the policies, regulations, and laws of the state must be interpreted and administered in accordance with the policies set forth in parts 1 through 3;**

**(b) under this part, all agencies of the state, except the legislature and except as provided in subsections (2) and (3), shall:**

**(i) use a systematic, interdisciplinary approach that will ensure:**

**(A) the integrated use of the natural and social sciences and the environmental design arts in planning and in decision making for a state-sponsored project that may have an impact on the Montana human environment by projects in Montana; and**

**(B) that in any environmental review that is not subject to subsection (1)(b)(iv), when an agency considers alternatives, the alternative analysis will be in compliance with the provisions of subsections (1)(b)(iv)(C)(i) and (1)(b)(iv)(C)(ii) and, if requested by the project sponsor or if determined by the agency to be necessary, subsection (1)(b)(iv)(C)(iii);**

It should also be noted that neither the term environmental impact statement nor environmental assessment are defined under Title 75, Chapter 1, Part 2.

Title 75, Chapter 1, Part 2 defines "Environmental Review" <sup>which</sup> incorporates both terms environmental assessment and environmental impact statement. See text below from Title 75, Chapter 1, Part 2.

**(5) "Environmental review" means any environmental assessment, environmental impact statement, or other written analysis required under this part by a state agency of a proposed action to determine,**

examine, or document the effects and impacts of the proposed action on the quality of the human and physical environment within the borders of Montana as required under this part.

However environmental impact statement and environmental assessment are defined under MEPA.

My interpretation is that FWP land acquisitions are already nonexempt from Title 75, Chapter 1, Part 2.

I reviewed information on FWP's website, URL

<http://fwp.mt.gov/news/publicNotices/environmentalAssessments/acquisitionsTradesAndLeases/>, and

I found that FWP is already performing Environmental Assessments (EA) for land acquisitions.

An EA requires a period of time for public comment. If an EA were to find significant impacts to the Montana human environment FWP would then be required to perform an Environmental Impact Statement, a much more rigorous process of environmental review.

Therefore we oppose this bill because it is a requirement that already exists and serves no real purpose.

Thank you.